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individually and on behalf of a class of
8 similarly situated individuals
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16 Attorneys for Defendants
SEE'S CANDY SHOPS, INC. and
SEE'S CANDIES INC.
17

18 UNITED STATES DISTRICT COURT
19 NORTHERN DISTRICT OF CALIFORNIA
20

21 AVI WEISS, individually and on behalf of a
class of similarly situated individuals,

22 Plaintiff,

23 v.

24 SEE'S CANDY SHOPS INC., SEE'S
CANDIES INC., and DOES 1 through 5,

25 Defendants.
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Case No. 16-cv-00661-EMC

CLASS ACTION

**STIPULATED REQUEST TO CONTINUE
CASE MANAGEMENT CONFERENCE
AND HEARING ON DEFENDANTS'
MOTION TO DISMISS**

Assigned Hon. Edward M. Chen

Complaint filed: February 9, 2016
Trial Date: TBD

1 **TO THE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF RECORD:**

2 Pursuant to Northern District of California Local Rules 6-1, 6-2, and 7-12, plaintiff Avi
3 Weiss and defendants See's Candies, Inc. and See's Candy Shops, Inc. (collectively "See's"), by
4 and through their respective counsel, hereby respectfully stipulate and jointly request that the
5 Court continue the case management conference and hearing on See's' motion to dismiss from
6 April 13, 2017, to April 27, 2017, at 1:30 p.m.

7 **RECITALS**

8 WHEREAS, on January 19, 2017, the Court set the hearing on See's anticipated motion to
9 dismiss and a further case management conference for April 13, 2017. Dkt. 37.

10 WHEREAS, lead counsel for See's is scheduled to be in arbitration in another matter from
11 April 10 until April 14, 2017, and therefore cannot be present in this Court on April 13, 2017.

12 WHEREAS, the parties have met and conferred and plaintiff agreed to defendants' request
13 to continue the April 13, 2017 hearing and further case management conference until April 27,
14 2017.

15 WHEREAS, the only prior modification of time in this case occurred on February 29,
16 2016, when the parties agreed to extend See's deadline to respond the complaint to April 4, 2016.

17 WHEREAS, the continuance requested herein will not otherwise affect the schedule for the
18 case.

19 WHEREAS, defendants' counsel Eric DiIulio attests that Suzanne Havens Beckman
20 concurs in filing this stipulation.

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STIPULATION

NOW, THEREFORE, IT IS HEREBY STIPULATED by and between the parties, by and through their respective counsel, that the case management conference and the hearing on See's motion to dismiss presently scheduled for April 13, 2017, at 1:30 p.m., shall be continued to April 27, 2017, at 1:30 p.m.

IT IS SO STIPULATED.

Dated: February 21, 2017

Parisi & Havens, LLP

By /s/ Susanne Havens Beckman

David C. Parisi

Susanne Havens Beckman

-and-

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Attorneys for Plaintiff

Dated: February 21, 2017

SHEPPARD MULLIN RICHTER & HAMPTON LLP

By 

Neil A.F. Popović

Eric J. DiIulio

Attorneys for Defendants

~~[PROPOSED]~~ ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED:

DATED: 2 / 22, 2017

